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10/807,238	03/24/2004	Nobutaka Okuyama	501.43515X00	4523

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EXAMINER

ALAM, MUSHFIKH I

ART UNIT	PAPER NUMBER
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2623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/807,238	Applicant(s) OKUYAMA ET AL.	
	Examiner Mushfikh Alam	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The objection to claim 2 has been withdrawn in light of the amendment.

Response to Arguments

2. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claim 1 is objected to because of the following informalities: the limitation "recording deice" is misspelled. This limitation should be changed to "recording device." Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 6-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Ochiai (7171677).

Claims 6 and 7, Ochiai teaches a transmission and reception apparatus which operates to receive a video signal and transmit it to an external device, comprising:

- a reception device (1 or 2) which receives a video signal (see column 4, lines 41-42);
- a recording (e.g. storing) device (3 or 4) which records a video signal received by the reception device (see column 4, lines 45-46);
- a transmission system (8) on which a video signal recorded by the recording device (3 or 4) is transmitted to an external device (5 or 6) via a network (e.g. IP) (see column 4, lines 46-48 and lines 58-60);
- an output device (3 or 4) which outputs a video signal to display a signal received by the reception device (1 or 2) (see column 4, lines 41-48 and); and
- an input unit responsive to user manipulation (see fig. 5, column 19, lines 12-16),
- wherein, based on user manipulation (e.g. requesting a recording request) from the input unit, the recording device (3 or 4) starts recording a video signal received by the reception device after said user manipulation (see column 16, lines 21-28); and
- wherein in response to a request from the external device, the video signal recorded by the recording device (3 or 4) and the information (e.g. broadcast programs availability) of the video signal are transmitted to the external device (5 or 6) and the recording device (3 or 4) stops (e.g. transmits a pin connection breaking request to signify the recording has been completed) (see column 19, lines 51-56) recording the video signal.

Claim 8, Ochiai teaches the transmission and reception apparatus according to claim 7, wherein a program received by the reception device (1 or 2) and a program recorded by the recording device (3 or 4) constitutes a sequence of contents (e.g. programs previously recorded) (see column 5, lines 58-60).

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Claim 9, Ochiai teaches the transmission and reception apparatus according to claim 7, wherein:

- a signal transmitted to the external device contains a compressed digital video signal (e.g. MPEG1, MPEG2, or motion JPEG) (see column 8, lines 38-44), and
- a reproduction device (e.g. TV tuner) decompresses a received signal (see column 8, lines 38-44).

Claim 10, Ochiai teaches the transmission and reception apparatus according to claim 7, comprising:

- an output device (3), which outputs a list of signals (e.g. list of recorded programs), which the reception device (1 or 2) receives (see column 11, lines 28-31, lines 32-35, and column 16, lines 21-28).

Claim 11, Ochiai teaches the transmission and reception apparatus according to claim 7, comprising:

- an input unit responsive to user manipulation (see fig. 5, column 19, lines 12-16),
- wherein specified user manipulation stops recording of a video signal (e.g. requests a stream stop request) in the external device (4) via the network and starts recording in the recording device (3) (see figs. 4 and 5; column 11, lines 28-43 and column 18, line 46-column 19, line 27).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-5, 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ochiai (7171677) in view of Chung et al. (2003/0086023).

Claim 1, note the discussion of claims 6 and 7 above. Ochiai teaches a transmission and reception apparatus which operates to receive a video signal and transmit it to an external device, comprising:

- wherein the output device (3) stops video signal output (e.g. receives a stream stop request) and, in response to a request from the external device (4) (e.g. stream control request), transmits the video signal recorded by the recording device (3) to the external device (4) (see figs. 4 and 5; column 11, lines 28-43 and column 18, line 46-column 19, line 27).
- wherein in response to a request from the external device (5 or 6), the transmission system (8) stops transmitting the video signal (e.g. receives a stream stop request), and the recording device (3 or 4) stops recording the video signal (see figs. 4 and 5; column 11, lines 28-43 and column 18, line 46-column 19, line 27).

Ochiai does not teach a transmission and reception apparatus which operates to receive a video signal and transmit it to an external device while recording the video signal.

Chung teaches a transmission and reception apparatus which operates to receive a video signal and transmit it to an external device while recording the video signal (i.e. the broadcasting program may be recorded and display at the same time) (see paragraph [0025]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the PVR of Chung to the broadcast network of Ochiai to enable recording and viewing simultaneously (see paragraph [0025]).

Claim 12, Ochiai teaches a reproduction method of reproducing a video signal in a recording and reproduction apparatus comprising:

- reproducing a video signal in the recording and reproduction apparatus (see fig. 1, column 4, lines 41-48);
- inputting specified user manipulation (i.e. inquiry of recorded video from previously recorded programs) (see column 5, line 58-column 6, line 2);
- recording a video signal continued from a video signal reproduced by the reproducing in the recording and reproduction apparatus, wherein the video signal to be recorded is contained in a video signal received after the user manipulation (i.e. continuing recording from the previous time stopped) (see column 5, line 55-column 6, line 2);
- stopping reproduction of the video signal after the recording (i.e. transmitting a stream stop request) (see column 11, lines 37-42);
- transmitting a video signal following user manipulation to the receiver via a network in response to said requesting wherein the video signal to be transmitted is recorded in the recording and reproduction apparatus (see column 19, lines 12-16); and

- stopping transmission (i.e. transmitting a stream stop request) and recording in response to a request from the external device (i.e. continuing recording from the previous time stopped) (see column 5, line 55-column 6, line 2 and see column 19, lines 12-16).

Chung teaches a transmission and reception apparatus which operates to receive a video signal and transmit it to an external device while recording the video signal (i.e. the broadcasting program may be recorded and display at the same time) (see paragraph [0025]).

Claim 2, Ochiai teaches the transmission and reception apparatus wherein the recording device stops the recording of a video signal after the transmission system (7) transmits a video signal (e.g. transmits a pin connection breaking request to signify the recording has been completed) (see column 19, lines 51-56).

Claim 3, Ochiai teaches the transmission and reception apparatus wherein the transmission system (8) transmits recording information (e.g. programs already recorded) about a received video signal to an external device (3 or 4) via a network (e.g. IP) (see column 5, line 55-column 6, line 2).

Claim 4, 15, Ochiai teaches the transmission and reception apparatus:

- wherein the reception device receives a digital broadcast signal including a compressed video signal (e.g. MPEG1, MPEG2, or motion JPEG) (see column 8, lines 38-44), and
- wherein the transmission system transmits a compressed video signal to an external device (e.g. MPEG1, MPEG2, or motion JPEG) (see column 8, lines 38-44).

Claim 5, Ochiai teaches the transmission and reception apparatus comprising:

- a memory (3 or 4) which automatically stores a video signal received by the reception device, wherein the transmission system (8) transmits a video signal recorded by the recording device based on user manipulation and a video signal automatically stored in the memory before the recording device starts recording (see column 4, lines 41-48).

Claim 13, Ochiai teaches the reproduction method comprising:

- requesting to read a video signal recorded in the recording and reproduction apparatus of the receiver and then receiving a broadcast signal (see column 19, lines 12-16); and
- reproducing a signal recorded in the receiver so as to continue (i.e. begin recording from the previous recording end time) from the contents of a video signal transmitted from the recording and reproduction apparatus (see column 5, line 55-column 6, line 2).

Claim 14, Ochiai teaches the reproduction method wherein receiving the broadcast signal includes recording a specified video signal based on recording information (i.e. times the programs were recorded) about a video signal received by the recording and reproduction apparatus (see column 5, line 55-column 6, line 2).

8. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ochiai (7171677) in view of Ellis et al. (2005/0251827).

Claim 16, Ochiai is silent on the reproduction method comprising:

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- allowing display equipment of the receiver to display names (e.g. identification numbers) of a plurality of networked devices including the recording and reproduction apparatus capable of receiving a video signal (see column 4, line 62-column 5, line 9).

Ellis teaches the reproduction method comprising:

- allowing display equipment of the receiver to display names (fig. 11) of a plurality of networked devices including the recording and reproduction apparatus capable of receiving a video signal (see paragraph [0091]-[0092]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided names for devices as taught by Ellis to the broadcast system of Ochiai to allow users to see where the device is located on the network (see fig. 11; paragraph [0091]).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Scheelke (2005/0022244) is cited to teach a system wherein many devices located in different rooms may be controlled.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mushfikh Alam whose telephone number is (571) 270-1710. The examiner can normally be reached on Mon-Fri: 8:30-18:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MA
8/16/2007



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